

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|-------------------|---|------------------------------|
| RICHARD S. PALEK, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 06-0938 |
| |) | |
| K-B TOYS, INC., |) | Honorable Donetta W. Ambrose |
| |) | |
| Defendant. |) | ELECTRONIC FILING |

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), Plaintiff Richard S. Palek, by his attorneys, and Defendant KB Toys, Inc., by its attorneys, stipulate and agree that the above-captioned action be dismissed with prejudice and without right of appeal, each party to bear its own attorneys' fees and costs.

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Granted

Donetta W. Ambrose
3-8-07